

Heritage Haldimand Terms of Reference

Mission:

The mission of Heritage Haldimand is to advise and assist Council to ensure that appropriate cultural heritage conservation practices are followed throughout the County of Haldimand, in accordance with the *Ontario Heritage Act*, the *Ontario Planning Act* and the Official Plan and associated by-laws, in order for the long-term benefit of the community. This mission shall be accomplished through the provision of advice and recommendations on cultural heritage conservation to Council, municipal staff and to the community.

Mandate:

As the municipal heritage committee in relation to matters related to the *Ontario Heritage Act*, (Act), Heritage Haldimand's role is advisory and consultative. Pursuant to statutory roles and responsibilities as noted under Section 28 of the Act, Heritage Haldimand will assist and advise Haldimand County Council on the conservation of the community's cultural heritage resources and guide the County in the conservation of its cultural heritage through planning, education, and stewardship in accordance with the responsibilities and activities outlined below.

Cultural heritage resources may include, but are not limited to: structures (residential, commercial, institutional, industrial, agricultural, water towers, bridges); monuments (cenotaph, statue, cairn); archaeological resources; cemeteries; culturally significant landscapes or natural features (e.g. street(s) and landforms); vistas/views.

Responsibilities and Activities:

The responsibilities and activities of Heritage Haldimand include:

1. Advise Council on designation and alteration of heritage (designated) properties. This includes all statutory requirements under Parts IV and V of the Act, including but not limited to:
 - a) the designation of individual properties (s.29)
 - b) repealing of designations of properties (s. 31, s. 32)
 - c) amending of designations of properties (s. 30.1)
 - d) alterations to designated properties (s.33, s. 42)
 - e) demolitions of designated properties (s. 34, s. 34.1, s 34.3)
 - f) easements and covenants to conserve buildings of cultural heritage value (s. 37 (1))
 - g) defining and designation of heritage conservation districts (Part V)
2. Advise Council regarding new heritage legislation initiatives.
3. Establish criteria for the evaluation of properties' architectural and/or historical value or interest.
4. Prepare, evaluate and maintain a list of properties and areas worthy of conservation.
5. Work with Council to educate individual property owners and the community at large about the heritage resources within the community and on the important methods of proper conservation of cultural heritage resources.
6. Develop a community recognition program for heritage conservation through the sponsorship of property designation plaques.

Committee Composition and Qualifications:

- a) In accordance with subsection 28 (2) of the Act, Heritage Haldimand (the committee) shall not contain fewer than five members. The committee shall be comprised of a minimum of five (5) and a maximum of nine (9) members.
- b) The Supervisor, Heritage and Culture will act as staff liaison to Heritage Haldimand. The staff liaison will provide support to the committee in relation to the Ontario Heritage Act. Other staff and resource persons may be invited to provide technical support at times when required. The staff liaison and other staff as may be required, do not have voting privileges.

Appointment Process:

- a) At the start of each Council term, applications will be sought for all Haldimand County advisory boards and committees. Heritage Haldimand will be included in this application and appointment process.
- b) The term for committee members shall be four (4) years concurrent with the term of Council.
- c) A committee member may serve a maximum of three consecutive four-year terms, but must retire for at least one term to be eligible for reappointment to the Committee.
- d) Council may, by resolution, replace committee members as members leave the committee, or appoint from time to time such new members as it considers desirable.

Key Qualifications & Eligibility Requirements of Committee Members:

- a) Committee members shall reside in Haldimand County and must be a minimum of 18 years of age.
- b) Committee members should have one or more of the following skill sets and/or interest areas:
 - Heritage conservation
 - Historical research
 - Knowledge of historical building materials and techniques
 - Interest in Haldimand County history

Reporting Structure and Work Plan:

Heritage Haldimand serves as an advisory body to Council on matters related to Parts IV and V of the Ontario Heritage Act.

- a) Heritage Haldimand shall report directly to the Community Development and Partnerships Division through recommendations contained in the minutes of their meetings, or as a delegation to Council in Committee where appropriate, or at the request of Council.
- b) Minutes of the committee shall be circulated to the Manager, Community Development and Partnerships.
- c) The committee will work closely with staff to achieve their workplan.
- d) Direction from Council to the Heritage Haldimand Committee shall be communicated back to the Committee through the Supervisor, Heritage and Culture and/or the Municipal Clerk.

Established Municipal Policies, Rules and Procedures:

- a) The committee shall abide by all municipal rules, policies, and procedures.
- b) The *Municipal Act, 2001* and the *Municipal Conflict of Interest Act*, shall bind all committee members as it relates to disclosure of any direct, indirect or deemed pecuniary interest, closed meetings procedures, and any other requirements under the Acts, which pertain to the conduct of the member.
- c) All records, documents, correspondence pertaining to the activity of the committee are considered to be records of the County, and are subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.

- d) The records of Heritage Haldimand shall be retained and preserved in accordance with the provisions of the Records and Information Management Policy.

Chair, Vice-Chair and Secretary:

The Heritage Haldimand Committee will elect a Chair and Vice Chair from its members and appoint a Secretary, for the full term of the committee's appointment.

Conduct:

Member conduct shall be in keeping with the Rules of Conduct outlined in Haldimand County's Procedural By-Law.

Heritage Haldimand is committed to the values of Respect, Integrity, Customer Service and Inclusiveness.

Meeting Procedures:

- a) Meeting procedures shall be based on the Haldimand County Procedural By-law.
- b) Meetings of the committee shall generally be held monthly or at the call of the Chair, with the provision that at least four meetings shall be held per year. The Committee shall establish a regular meeting schedule that may be reviewed from time to time.
- c) At all meetings of the Advisory Committee, every question shall be decided by a majority of votes cast.

Quorum:

- a) A quorum shall consist of a simple majority of the voting members of the committee.
- b) Non-voting members are not considered when establishing quorum.

Attendance:

- a) Members that are unable to attend a meeting shall notify the staff liaison to report their absence, prior to the meeting date and/or time.
- b) If a member is absent for three (3) consecutive regular meetings the committee may recommend to Council to have the member removed from the committee. Council shall have the final decision.
- c) If a member of the Advisory Committee resigns, and the Committee falls below the minimum of five members, the Liaison shall report the resignation to the Municipal Clerk as soon as practical to initiate the recruitment process to fill the vacancy.

Minutes and Agenda:

The Minutes of each meeting will be prepared for adoption at the following meeting. The monthly agenda will be prepared by the Supervisor, Heritage and Culture in consultation with the Committee Chair and/or Vice-Chair.

Meeting schedules, agendas and minutes will be made available to the public on the County's website.

Remuneration:

No remuneration shall be made to members of the Advisory Committee for their participation, unless otherwise directed by Council.

Reasonable expenses as approved by the Advisory Committee may be compensated to members.

Budget:

Haldimand County Council provides an annual budget to Heritage Haldimand. It is the responsibility of members to submit any relevant invoices to the Manager of Community Development and Partnerships for reimbursement approval and to keep track of any expenses generated by the activities of the Committee.

The annual committee budget shall provide for items such as the following:

- Heritage Designation Plaques;
- Brochures and other educational materials;
- Heritage workshops and events;
- Educational/volunteer development (e.g. subscriptions, conferences) and similar; and
- Other initiatives as directed by Council.

Confidentiality:

Committee members will hold in the strictest confidence any and all information concerning matters dealt with at a session closed to the public. Items that are to be considered confidential will be so noted.

Liability:

In carrying out the mandate of Heritage Haldimand under By-law XXX/2017, the committee members shall be considered the agent of the Municipal Corporation and while acting bona fide within the limits of the authority granted by Council, neither the Committee nor any member thereof shall incur any personal liability by reason of anything done or left undone by the Committee, notwithstanding wilful misconduct and provided that nothing in this section contained shall authorize or empower the Committee to incur any debt, liability, or obligation for which the Municipal Corporation shall become liable without having previously obtained the consent of the Council of Haldimand County.

Heritage Haldimand Terms of Reference was adopted by Haldimand County Council on this XX day of month, 2017.